

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – PJP – GADWAL - Mahabubnagar District – Pebbair (M) – Nagasanipalli (V) - O.P.No.126/1996 & batch of (12 cases) - Sanction of decretal charges of **Rs.19,55,886/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 462

DATE:24.06.2009

Read :

- 1) From the Special Collector (LA) Bheema Project, Mahabubnagar District Lr.No.E/PJP/1014/2008, dated:06.12.2008.
- 2) From the CCLA, AP, Hyd.Lr.No.SRP4/1163/08, dt:21.04.2009.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.126/1996 & batch of (12 cases) pertaining to Nagasanipalli (V) Pebbair (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Acs.36-26 gts situated at Nagasanipalli (V) for the purpose of Excavation of Left Main Canal by fixing the land value @Rs.13,000/- vide Award No.8/96, dt:29.02.1996. The awardees have filed their petitions U/s.18 of the L.A.Act. The Sr.Civil Judge, Wanaparthy had delivered the judgment on 17.04.2000 and enhancing the market value fixed by the LAO from Rs.13,000/- to Rs.35,000/- per acre. Aggrieved with the market value enhanced by the Lower Couert, the SDC, LA, PJP, Gadwal has filed appeals before the Hon'ble H.C of A.P, Hyd against the judgment of the Sr.Civil Judge, Gadwal. The Hon'ble H.C of A.P, Hyd has granted intrim stay orders and directed to deposit half of the decretal charges. Accordingly an amount of Rs.10,01,668/- was sanctioned and the same deposited in the court of the Sr.Civil Judge, Gadwal on 29.09.2008. Finally the Hon'ble H.C of A.P, Hyd in its orders dt:13.09.2006 & 22.08.2008 in A.S.No.2953/2000, 3423/2000 & batch has reduced the rate fixed by the Sr.Civil Judge, Wanaparthy in O.P.No.126/96 & batch of (8 cases) on the basis of judgment of the Hon'ble H.C of A.P, Hyd in A.S.No.737/2001, dt:04.09.2006. The SDC, Gadwal has submitted the material papers for filing of SLP and it is still pending before the Hon'ble Supreme Court of India, New Delhi. In the meanwhile, the claimants have filed W.P.before the Hon'ble H.C of A.P, Hyd and the court have issued directions in W.P.No.2886/2008, dt:14.02.2008 that to deposit the awarded amount to the credit of E.Ps within two months.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.19,55,886/- (Rupees Nineteen lakhs fifty five thousand eight hundred and eighty six only)** in respect of O.P.No.126/1996 & batch of (12 cases) pertaining to Nagasanipalli (Village) Pebbair (Mandal) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyd immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (27) - Canals and Distributaries - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.1602/F2(2)/2009-1, dated 14.05.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, SSP, Kurnool
The Chief Engineer, I & CAD, MBNR, Erramzila, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.3225//LA-III(A2)/2009
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER